



General Assembly

February Session, 2014

Raised Bill No. 5325

LCO No. 1457



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

AN ACT ELIMINATING THE HOME-CARE COST CAP.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 17b-342 of the 2014 supplement
2 to the general statutes is repealed and the following is substituted in
3 lieu thereof (*Effective July 1, 2014*):

4 (a) The Commissioner of Social Services shall administer the
5 Connecticut home-care program for the elderly state-wide in order to
6 prevent the institutionalization of elderly persons (1) who are
7 recipients of medical assistance, (2) who are eligible for such
8 assistance, (3) who would be eligible for medical assistance if residing
9 in a nursing facility, or (4) who meet the criteria for the state-funded
10 portion of the program under subsection (i) of this section. For
11 purposes of this section, a long-term care facility is a facility that has
12 been federally certified as a skilled nursing facility or intermediate care
13 facility. The commissioner shall make any revisions in the state
14 Medicaid plan required by Title XIX of the Social Security Act prior to
15 implementing the program. [The annualized cost of the community-
16 based services provided to such persons under the program shall not

17 exceed sixty per cent of the weighted average cost of care in skilled
18 nursing facilities and intermediate care facilities.] The program shall be
19 structured so that the net cost to the state for long-term facility care in
20 combination with the [community-based] services under the program
21 shall not exceed the net cost the state would have incurred without the
22 program. The commissioner shall investigate the possibility of
23 receiving federal funds for the program and shall apply for any
24 necessary federal waivers. A recipient of services under the program,
25 and the estate and legally liable relatives of the recipient, shall be
26 responsible for reimbursement to the state for such services to the
27 same extent required of a recipient of assistance under the state
28 supplement program, medical assistance program, temporary family
29 assistance program or supplemental nutrition assistance program.
30 Only a United States citizen or a noncitizen who meets the citizenship
31 requirements for eligibility under the Medicaid program shall be
32 eligible for home-care services under this section, except a qualified
33 alien, as defined in Section 431 of Public Law 104-193, admitted into
34 the United States on or after August 22, 1996, or other lawfully
35 residing immigrant alien determined eligible for services under this
36 section prior to July 1, 1997, shall remain eligible for such services.
37 Qualified aliens or other lawfully residing immigrant aliens not
38 determined eligible prior to July 1, 1997, shall be eligible for services
39 under this section subsequent to six months from establishing
40 residency. Notwithstanding the provisions of this subsection, any
41 qualified alien or other lawfully residing immigrant alien or alien who
42 formerly held the status of permanently residing under color of law
43 who is a victim of domestic violence or who has intellectual disability
44 shall be eligible for assistance pursuant to this section. Qualified aliens,
45 as defined in Section 431 of Public Law 104-193, or other lawfully
46 residing immigrant aliens or aliens who formerly held the status of
47 permanently residing under color of law shall be eligible for services
48 under this section provided other conditions of eligibility are met.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2014</i>	17b-342(a)
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Statement of Purpose:

To expand home care for eligible elderly residents by removing the program funding cap.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]